

83

✓ RCE  
3682



<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).	Application Number	10/055,349
	Filing Date	January 25, 2002
	First Named Inventor	Battat
	Group Art Unit	3682
	Examiner Name	M. Charles
	Attorney Docket Number	D/A 0898 (1508/3480)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**

a. ☒ Previously submitted

i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on February 17, 2004  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

iii. ☐ Other \_\_\_\_\_

b. ☐ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Submission of Formal Drawings

v. ☒ Petition for Three-month Extension of Time

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)

b. ☐ Other \_\_\_\_\_

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, additional fees which may be required, or credit any overpayments, to Deposit Account No. 24-0037

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☒ Check in the amount of \$950.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Georgia Evans	Registration No. (Attorney/Agent)	44,597
Signature	<i>Georgia Evans</i>	Date	<i>June 2, 2004</i>

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on <u>June 2, 2004</u> .	
Signature:	<i>Ruth R. Smith</i>
Name:	Ruth R. Smith

06/07/2004 MAHME1 00000095 240037 10055349  
02 FC:1801 770.00 DA

SEND TO: Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
JUN 08 2004  
GROUP 3600

00000095 240037 10055349

<div style="display: flex; align-items: center;"> <div style="text-align: center; margin-right: 10px;"> </div> <div> <h2 style="margin: 0;">FREE TRANSMITTAL FOR FY 2004</h2> <p style="font-size: small; margin: 0;">Patent fees are subject to annual revision.</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> </div> </div>		<p style="font-size: small; margin: 0;">Complete if Known</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td>Application Number</td><td>10/055,349</td></tr> <tr><td>Filing Date</td><td>January 25, 2002</td></tr> <tr><td>First Named Inventor</td><td>Battat</td></tr> <tr><td>Examiner Name</td><td>M. Charles</td></tr> <tr><td>Art Unit</td><td>3682</td></tr> <tr><td>Attorney Docket No.</td><td>D/A 0898 (1508/3480)</td></tr> </table>		Application Number	10/055,349	Filing Date	January 25, 2002	First Named Inventor	Battat	Examiner Name	M. Charles	Art Unit	3682	Attorney Docket No.	D/A 0898 (1508/3480)
Application Number	10/055,349														
Filing Date	January 25, 2002														
First Named Inventor	Battat														
Examiner Name	M. Charles														
Art Unit	3682														
Attorney Docket No.	D/A 0898 (1508/3480)														
<p><b>TOTAL AMOUNT OF PAYMENT</b> (\$1,720)</p>															

METHOD OF PAYMENT (check all that apply)	
<input checked="" type="checkbox"/> Check \$950 <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None  <input checked="" type="checkbox"/> Deposit Account: <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">Deposit Account Number: 24-0037</div> <div style="border: 1px solid black; padding: 2px; margin-top: 5px;">Deposit Account Name: Xerox Corporation</div>	
<p><b>The Commissioner is authorized to:</b> (check all that apply)</p> <p><input type="checkbox"/> Charge fee(s) indicated below      <input checked="" type="checkbox"/> Credit any overpayments</p> <p><input checked="" type="checkbox"/> Charge any additional fee(s)</p> <p><input checked="" type="checkbox"/> Charge fee(s) indicated below (\$770), except for the extension of time to the above-identified deposit account.</p>	

FEE CALCULATION (continued)					
3. ADDITIONAL FEES					
Large Entity		Small Entity		Fee Description	
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid				<b>SUBTOTAL (3)</b> (\$1,720)	

FEE CALCULATION					
1. BASIC FILING FEE					
Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>				(\$ 0)	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE					
Total Claims		Extra Claims		Fee from below	Fee Paid
18	-23** =	0	X	18	= 0
Independent Claims	2	-3** =	0	X	43 = 0
Multiple Dependent				X	= 0
Large Entity		Small Entity		Fee Description	
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>				(\$ 0)	

\*\*or number previously paid, if greater; For Reissues, see above

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]	
<p>I hereby certify that this correspondence is being:</p> <p><input checked="" type="checkbox"/> deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop <u>RCE</u>, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450</p> <p><input type="checkbox"/> transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) _____</p>	
<p><u>June 2, 2004</u></p> <p style="text-align: center; font-size: small;">Date</p>	<p><u>Ruth R. Smith</u></p> <p style="text-align: center; font-size: small;">Signature</p> <p style="text-align: center; font-size: small;">Typed or printed name</p>

SUBMITTED BY				Complete (if applicable)	
Name (Print/Type)	Georgia Evans	Registration No. (Attorney/Agent)	44,597	Telephone	(585) 263-1672
Signature	<u>Georgia Evans</u>			Date	<u>June 2, 2004</u>

SEND TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450